IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE.

SUIT NO. 3031 OF 2004
WITH
NOTICE OF MOTION NO. 3099 OF 2004
WITH
NOTICE OF MOTION NO. 3699 OF 2004
WITH
NOTICE OF MOTION NO. 581 OF 2005
WITH
NOTICE OF MOTION NO. 1290 OF 2005
WITH
CHAMBER SUMMONS NO. 603 OF 2005

Office Notes,Office	:	
Memorandam of Coram,	:	Court's or Judge's orders
appearnaces,Courts's	:	
orders or directions	:	
Prothonotaries orders.	:	

Bharat Vaishnawa for the plaintiff.

S.S.Joshi for defendant Nos.1 and 2.

CORAM: V.C.DAGA, J.

DATED: 3rd March 2006.

P.C.:

. Heard learned counsel for the plaintiff.

2. The plaintiff wants to restrict his suit claim to prayer clause (a) and desires to abandon the reliefs claimed in prayer clauses (b) and (c). The affidavit filed in this behalf is taken on record. The petitioner is directed to take out appropriate application seeking deletion of abandoned portion of the suit claim by next date of hearing. Amendment

to be carried out within three weeks from today.

3. Since the plaintiff has abandoned the reliefs claimed in prayer clauses (b) and (c), plaintiff seeks to withdraw Notice of Motion No.3099 of 2004 and Chamber Summons No.603 of 2005 taken out by the plaintiff in the above suit. The plaintiff is allowed to withdraw the same. In the result, Notice of Motion No.3099 of 2004 and Chamber Summons No.603 of 2005 stand dismissed as withdrawn with no order as to costs.

4. In view of withdrawal of Notice of Motion No.3099/2004, plaintiff would be entitled to withdraw the amount deposited by him.

5. In view of withdrawal of Notice of Motion No.3099 of 2004, Notice of Motion No.1290 of 2005 has become infructuous. The same stands disposed of accordingly.

6. In view of abandonment of reliefs claimed in prayer clauses (a) and (b) by the plaintiff, the learned counsel

for defendant Nos.1 and 2 seeks permission to withdraw Notice of Motion No.581 of 2005. The same stands dismissed as withdrawn with no order as to costs.

7. The learned counsel for defendant No.2 further seeks permission to withdraw Notice of Motion No.3699 of 2004. Notice of Motion No.3699/2004 stands dismissed as withdrawn with no order as to costs.

. Stand over for three weeks.

(V.C.DAGA, J.)